



# City of Fort Bragg

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## Meeting Minutes Planning Commission

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Wednesday, December 15, 2021

6:00 PM

Town Hall, 363 N.Main Street

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### Special Meeting

#### MEETING CALLED TO ORDER

Chair Logan called the meeting to order at 6:00 P.M.

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

**Present** 5 - Chair Jeremy Logan, Vice Chair Jay Andreis, Commissioner Stan Miklose, Commissioner Michelle Roberts, and Commissioner Nancy Rogers

#### **1. PUBLIC COMMENTS ON: (1) NON-AGENDA & (2) CONSENT CALENDAR ITEMS**

None.

#### **2. STAFF COMMENTS**

Assistant Director O'Neal stated that the resolution authorizing remote meetings is on tonight's Consent Calendar as it was decided at the previous meeting to keep it on each meeting agenda as a safety mechanism for Commissioners to return to telephonic meetings if needed. If Commissioners don't wish to approve the item, it can be pulled from Consent and would not need to be voted on - it can just fail for a lack of motion. She reminded Commissioners that telephonic meetings provide the flexibility that allows us to still meet in person but allows members of the public to call in from home if needed. Assistant Director O'Neal also stated that the City had issued a press release that tonight's meeting would not be televised. She said we conferred with legal counsel and the City is not legally required to televise meetings. However, it was an unfortunate circumstance that led to our being unable to do so tonight, related to the transition to fully in-person meetings, difficulties with closed captioning, and some other challenges for IT. She said that should Commissioners choose to continue to meet in person, the intention for our next meeting is to return to pre-Covid meeting expectations, fully televised, and with full closed captioning functionality. O'Neal also gave Associate Planner Heather Gurewitz a shout out for receiving her AICP certification in November.

#### **3. MATTERS FROM COMMISSIONERS**

Commissioner Rogers requested an update on the status of the Grey Whale Inn Code Enforcement activities. Assistant Director O'Neal said she would check into it and send Commissioners an update.

#### **4. CONSENT CALENDAR**

Chair Logan asked for Item 4C to be removed from the Consent Calendar.

**A motion was made by Commissioner Roberts, seconded by Commissioner Rogers, that the Consent Calendar be approved as amended. The motion carried by the following vote:**

**Aye:** 5 - Chair Logan, Vice Chair Andreis, Commissioner Miklose, Commissioner Roberts and Commissioner Rogers

**4A.** [21-575](#) Minutes of the September 22, 2021 Planning Commission Meeting

**4B.** [21-577](#) Minutes of the September 29, 2021 Planning Commission Meeting

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**4C.** [21-647](#) Resolution Making the Legally Required Findings to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency

Chair Logan asked if Commissioners now have to pull the Resolution at every meeting, versus what was determined at the last meeting, that meetings would continue in person as long as the item wasn't pulled. Assistant Director O'Neal explained that staff had attempted to modify the language in order to leave that option, but was not comfortable with modifying the language in a way that would seem contradictory to State and City Council's direction that, in fact, declares this an emergency which allows us to retain the option to meet telephonically. O'Neal said that another option would be to not put the telephonic resolution on the agenda in the future. In that case we would have to call a special meeting in order to pass it should the need arise, so ultimately the simplest way is to maintain the language so Commissioners can pull it, choose to discuss, choose to deny, or choose for it to fail without a motion. Commissioners then discussed the Resolution and how it should be handled going forward, and directed staff to continue to include it on the Consent Calendar for each meeting.

**This Planning Resolution was not acted on**

**5. DISCLOSURE OF EX PARTE COMMUNICATIONS ON AGENDA ITEMS**

None.

**6. PUBLIC HEARINGS**

**6A.** [21-632](#) Receive Report, Conduct Public Hearing, and Consider Adoption of Planning Commission Resolution Approving Formula Business Use Permit 4-21 and Sign Permit 13-21 For The Baymont Inn & Suites

Assistant Planner Locke presented a report on the applicant's request for a use permit to operate a formula business and install a new sign. He gave some background on the site at 250 S. Main Street, where the EbbTide Lodge presently exists. He said the hotel was recently sold to new owners who are transitioning it to Baymont Inn and Suites, a mid-scale, formula hotel/motel. He then presented slides showing what a typical Baymont Inn looks like, summarized the criteria for a formula business, and talked about existing sign nonconformance, proposed modifications, and the Special Condition to reduce the height of the freestanding sign to fourteen feet. Locke

said Applicant plans to remove the wall sign and modify the freestanding sign's existing cabinet to include Baymont Inn branding. He then summarized the Use Permit analysis and findings, Formula Business analysis and findings, and Sign Permit analysis and findings in support of staff's recommendation to consider adoption of a Resolution to approve the Use Permit and Sign Permit subject to standard and special conditions. Commissioner Andreis asked if all the code violations by previous owners have been addressed. Assistant Planner Locke said that the security, fire, safety and building condition violations are mostly resolved. Some violations regarding long-term deferred maintenance are still open. Commissioner Miklose asked if the moratorium on formula business had ended. Locke responded that it was fully lifted on December 8, 2021. Commissioner questions about materials and operation of the business were deferred to the applicant.

**Chair Logan opened the Public Hearing at 6:23 P.M.**

Applicant Manish "Mike" Bhatt addressed the Commission. He introduced himself, saying that he is from Kansas and purchased the property 45 days ago. The property came with a lot of challenges, including ensuring that site security, site safety, and many building improvement needs were addressed. These have all been completed and the remodel of the rooms is almost done. He said they are doing their best to ensure compliance as they go along. Commissioner Miklose asked if there is a kitchen, to which Applicant responded that there is not. Commissioner Roberts asked whether or not consideration was given to sign materials closer to the original, to which Applicant responded that they can consider it. He said they have already made many changes but remain flexible. Commissioner Andreis asked how they would go about lowering the freestanding sign. Applicant responded that he is not an expert in that, but the sign will be lowered to the required specifications.

**PUBLIC COMMENT**

A public comment from Jacob Patterson was submitted to the Commission by email prior to the meeting.

There were no other public comments.

**DELIBERATION**

Under deliberation, Commissioners held a conversation about the proposed freestanding sign design and whether or not other types of illumination and materials would be more in keeping with the Design Guidelines and small town feel. Following this conversation, Commissioners directed staff to add special conditions requiring a high-quality wood material for the sign's background; paint colors that complement the site; and externally lit, downcast/dark sky compliant or chanel lettering for the sign face.

**Chair Logan closed the Public Hearing at 6:31 P.M.**

**A motion was made by Commissioner Miklose, seconded by Vice Chair Andreis, that this Planning Resolution be adopted as amended. The motion carried by the following vote:**

**Aye:** 5 - Chair Logan, Vice Chair Andreis, Commissioner Miklose, Commissioner Roberts and Commissioner Rogers

Enactment No: RES PC12-2021

## **7. CONDUCT OF BUSINESS**

### **ADJOURNMENT**

Chair Logan adjourned the meeting at 6:58 P.M.

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Jeremy Logan, Chair

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Sarah Peters, Administrative Assistant

IMAGED (\_\_\_\_\_)